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Attorneys For Defendant
GOOGLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.,

Plaintiff,

v.

GOOGLE INC.,

Defendant.

Case No. CV 10-03561 WHA

**STIPULATION AND ~~PROPOSED~~
ORDER TO STAY EXECUTION OF
COSTS AWARD**

Dept.: Courtroom 8, 19th Floor
Judge: Hon. William Alsup

STIPULATION

WHEREAS, as directed by the Court, Oracle and Google met and conferred about Google's Bill of Costs (ECF 1990) and Oracle's objections thereto (ECF 1994);

WHEREAS, the Parties reached an agreement resolving the disputes relating to Google's Bill of Costs (ECF 2039);

WHEREAS, pursuant to the Parties' agreement in ECF 2039, the total amount of costs to be awarded to Google is \$2,153,444;

WHEREAS, Oracle desires to stay execution of the costs agreed to by the Parties until the conclusion of the case and, to the extent any appeals are filed, seeks a waiver of the requirement that either Party post a supersedeas bond; and

WHEREAS, Google is agreeable to staying execution of the costs agreed to by the Parties and agrees that, to the extent any appeals are filed, the requirement to post a supersedeas bond should be waived, provided that Oracle pay the costs agreed to by the Parties with post-judgment interest, provided the judgment upon which the costs were agreed to (ECF 1989) has not been overturned, at the conclusion of the case;

NOW, THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE as follows:

1. Execution of the costs agreed to by the Parties (ECF 2039) shall be stayed pending the conclusion of the case. By agreement of the Parties, to the extent any appeals are filed, neither Party is required to post a supersedeas bond.
2. Provided that the judgment underlying the costs agreed to by the Parties (ECF 1989) is not overturned, Oracle shall pay the costs agreed to by the Parties with post-judgment interest.

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1 Dated: August 19, 2016

ORRICK, HERRINGTON & SUTCLIFFE LLP

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3 By: /s/ Vickie L. Feeman

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5 Attorneys for Plaintiff
6 ORACLE AMERICA, INC.

7 Dated: August 19, 2016

Keker & Van Nest LLP

8 By: /s/ Reid P. Mullen

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10 Attorneys For Defendant
11 GOOGLE INC.

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14 **ATTESTATION OF CONCURRENCE**

15 I, Vickie L. Feeman, the ECF User whose ID and password are being used to file this
16 Joint Stipulation and [Proposed] Order to Stay Execution of Costs Award, hereby attest that Reid
17 P. Mullen has concurred in this filing.

18 Dated: August 19, 2016

By: /s/ Vickie L. Feeman

~~PROPOSED~~ ORDER

The foregoing stipulation is approved, and IT IS SO ORDERED.

Date: August 22, 2016.



Honorable William Alsup
Judge of the United States District Court